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DKE 9015
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Steven M. Shei, et al. Art Unit: 3744
Serial No.: 10/314,926
Filed: December 9, 2002
Confirmation No.: 2289
For: MERCHANDISER FOR WARM AND COLD FOODS

February 27, 2003

TO THE COMMISSIONER FOR PATENTS, O I

SIR:

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, applicants submit copies of the references listed on the attached PTO/SB/08A for consideration by the Patent and Trademark Office in the above-entitled application and to be made of record therein.

Reference Nos. 1, 3, 6, 7, 9, 10, 12, 14, 15, 16, 18, 20, and 23 listed on the attached PTO/SB/08A are of record in the original Patent No. 6,257,010 B1 and, therefore, in accordance with MPEP 609, are not being provided at this time. However, applicants' counsel will provide the Examiner with copies of the references upon request.

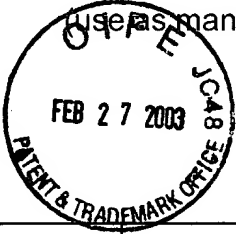
Respectfully submitted,

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| PTO/SB/08A | | | | Complete if Known | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)  | | | | Application Number | 10/314,926 |
| | | | | Filing Date | December 9, 2002 |
| | | | | Confirmation Number | 2289 |
| | | | | First Named Inventor | Steven M. Shei |
| | | | | Group Art Unit | 3744 |
| | | | | Examiner Name | Not Yet Assigned |
| Sheet | 1 | of | 2 | Attorney Docket No. | DKE 9015 |

U.S. PATENT DOCUMENTS

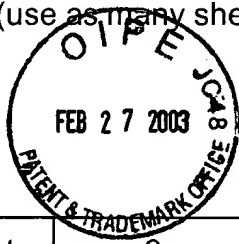
| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY |
|-----------------------|--------------------------|----------------------|--|--|--|
| | | Number | Kind Code ² (if known) | | |
| | 1 | 1,984,138 | | Kennedy | 12-11-1934 |
| | 2 | 2,545,602 | | Burger • | 03-20-1951 |
| | 3 | 2,631,912 | | Pryor, Jr. | 03-17-1953 |
| | 4 | 2,863,708 | | Cahn • | 12-09-1958 |
| | 5 | 3,170,541 | | Werner • | 02-23-1965 |
| | 6 | Des. 201,756 | | Abbott | 07-27-1965 |
| | 7 | Des. 209,722 | | Mangini | 12-26-1967 |
| | 8 | 3,759,059 | | Kenyon • | 09-18-1973 |
| | 9 | 4,027,727 | | Pullens | 06-07-1977 |
| | 10 | Des. 276,578 | | Kwiecinski | 12-04-1984 |
| | 11 | 4,593,752 | | Tipton • | 06-10-1986 |
| | 12 | 4,704,870 | | Beitner | 11-10-1987 |
| | 13 | 4,856,579 | | Wolfe • | 08-15-1989 |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached or place an "A" here if English language abstract is attached..

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|--|---|----|---|--------------------------|------------------|
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| | | | | Examiner Name | Not Yet Assigned |
| Sheet | 2 | of | 2 | Attorney Docket No. | DKE 9015 |

| | | | | | |
|--|----|--------------|--|---------------|------------|
| | 14 | 4,884,626 | | Filipowski | 12-05-1989 |
| | 15 | Des. 312,363 | | Faggioli | 11-27-1990 |
| | 16 | Des. 321,800 | | Blum | 11-26-1991 |
| | 17 | 5,203,255 | | Wells et al. | 04-20-1993 |
| | 18 | 5,247,807 | | Jarman et al. | 09-28-1993 |
| | 19 | Des. 352,192 | | Gelinas | 11-08-1994 |
| | 20 | Des. 352,620 | | Geisen et al. | 11-22-1994 |
| | 21 | 5,496,103 | | Kozak | 03-05-1996 |
| | 22 | 5,630,468 | | McKee | 05-20-1997 |
| | 23 | 5,743,098 | | Behr | 04-28-1998 |
| | 24 | 5,964,512 | | Borgen | 10-12-1999 |
| | 25 | 6,367,274 | | Mellado | 04-09-2002 |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

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